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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Roth

Serial No.: 09/447,681

Filed: November 23, 1999

For: ADENOVIRUS p53 COMPOSITIONS
AND METHODS

Group Art Unit: 1632

Examiner: Crouch, Deborah

Atty. Dkt. No.: INRP:003--2

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Commissioner for Patents
Washington, D.C. 20231

01/03/2003 SSESHE1 00000037 09447681

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160.00 OP

Commissioner:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed September 27, 2002, finally rejecting claims 67 and 86-89.

The fee for filing this Notice of Appeal is \$160 and is attached hereto.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/INRP:003--2.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,

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Date: December 27, 2002